

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 24-cr-25 (ECT/TNL)

Plaintiff,

v.

ORDER

Jon Michael Ask,

Defendant.

This matter comes before the Court on Defendant Jon Michael Ask's Motion to Continue Motion Filing Date and Motion Hearing, ECF No. 13.¹ Defendant has also filed a Statement of Facts in Support of Exclusion of Time Under the Speedy Trial Act, ECF No. 16.²

Defendant seeks a 30-day continuance of the March 7, 2024 motions-filing date and the March 29, 2024 motions hearing³ as the parties are currently exploring possible resolution of this matter. The Government has no objection to the requested continuance.

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial and such continuance is necessary to provide Defendant and his counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

¹ The motion was filed on March 7, 2024. *See generally* ECF No. 13.

² The statement of facts was filed on April 3, 2024. *See generally* ECF No. 16; *see also* ECF No. 13 at 2 (noting statement of facts would be forthcoming).

³ The Court previously continued this hearing to a date and time to be determined pending receipt of the statement of facts. *See generally* ECF No. 15.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion to Continue Motion Filing Date and Motion Hearing, ECF No. 13, is **GRANTED**.

2. The period of time from **the date of this Order through April 8, 2024**, shall be excluded from Speedy Trial Act computations in this case.

3. All motions in the above-entitled case must be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **April 8, 2024**. *See* D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses must be delivered directly to the chambers of Magistrate Judge Tony N. Leung.

4. **Counsel must electronically file a letter on or before April 8, 2024, if no motions will be filed and there is no need for hearing.**

5. All responses to motions must be filed by **April 22, 2024**. *See* D. Minn. LR 12.1(c)(2).

6. Any Notice of Intent to Call Witnesses must be filed by **April 22, 2024**. *See* D. Minn. LR. 12.1(c)(3)(A).

7. Any Responsive Notice of Intent to Call Witnesses must be filed by **April 25, 2024**. *See* D. Minn. LR 12.1(c)(3)(B).

8. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and a defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or

- b. Oral argument is requested by either party in its motion, objection or response pleadings.

9. If required, the motions hearing must be heard before Magistrate Judge Tony N. Leung on **May 1, 2024, at 10:00 a.m.**, in Courtroom 9W, Diana E. Murphy United States Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota. *See* D. Minn. LR 12.1(d).

10. **TRIAL: The trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Eric C. Tostrud to confirm the new trial date.**

Dated: April 4, 2024

s/ Tony N. Leung
TONY N. LEUNG
United States Magistrate Judge
District of Minnesota

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